

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA LARK,

Petitioner,

No. CIV S-05-0664 DFL GGH P

vs.

TOM CAREY, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with the \$5.00 filing fee.

Since petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondent will be directed to file a response to petitioner's habeas petition.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Respondent is directed to file a response to petitioner's habeas petition within thirty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

2. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be filed and served within thirty days after service of the answer;

1 4. If the response to petitioner's habeas petition is a motion, petitioner's
2 opposition or statement of non-opposition to the motion shall be filed and served within thirty
3 days of service after service of the motion, and respondents' reply, if any, shall be filed and
4 served within fifteen days thereafter; and

5 5. The Clerk of the Court shall serve a copy of this order together with a copy of
6 the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Jo Graves, Senior
7 Assistant Attorney General.

8 DATED: 4/18/05

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10 /s/ Gregory G. Hollows

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12 GREGORY G. HOLLOWS
13 UNITED STATES MAGISTRATE JUDGE

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